

UNITED STATES MAGISTRATE COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-CR-80173-2-AMC

UNITED STATES OF AMERICA)
)
v.)
)
WILLIAM MICHAEL SPEARMAN,)
Defendant.)
_____)

PERSUANT TO PROTECTIVE ORDER

**GOVERNMENT’S THIRD RESPONSE TO
THE STANDING DISCOVERY ORDER**

The United States hereby files this third response to the Standing Discovery Order as to defendant, William Spearman. This response also complies with Local Rule 88.10 and Federal Rule of Criminal Procedure 16 and is filed pursuant to the Protective Order in this case.

- A. 5. Books, papers, documents, data, photographs, tangible objects, buildings or places, within the government’s possession, custody or control, which are material to the preparation of the defendant’s defense, or which the government intends to use as evidence at trial to prove its case in chief, or which were obtained from or belong to the defendant, may be inspected at a mutually convenient time at: the Office of the United States Attorney, 500 A. Australian Ave., West Palm Beach, Florida, Suite 400. Please call the undersigned within 48 hours if you intent to review the evidence to set up a date and time that is convenient to both parties.

The attachments to this discovery response are not necessarily copies of all the books, papers, documents, data, etc., that the government may intend to introduce at trial.

Additionally, the government is in possession of a copy of the server that maintained “Website A” as is available for inspection at the Federal Bureau of Investigation – West Palm Beach. Communication with the undersigned in advance of previewing the same is advisable because of the technical nature of the evidence.

- B. DEMAND FOR RECIPROCAL DISCOVERY: Pursuant to the Standing Discovery Order, the United States requests the disclosure and production of materials listed in Section (b) of Local Rule 88.10. This request is also

made pursuant to Rule 16(b) of the Federal Rules of Criminal Procedure.

- C. The government will disclose any information or material which may be favorable on the issues of guilt or punishment within the scope of Brady v. Maryland, 373 U.S. 83 (1963), and United States v. Agurs, 427 U.S. 97 (1976).
- D. The government will disclose any payments, promises of immunity, leniency, preferential treatment, or other inducements made to prospective government witnesses, within the scope of Giglio v. United States, 405 U.S. 150 (1972), or Napue v. Illinois, 360 U.S. 264 (1959).
- N. The government hereby repeats its previous request for stipulation by the defendant:
 - 1. The child pornography alleged by the government is in fact child pornography as defined within Title 18 United States Code Section 2256(9) for purposes of proof of the elemental requirements of the indicted conduct; and
 - 2. Venue exists in the Southern District of Florida.

The government is aware of its continuing duty to disclose such newly discovered additional information required by the Standing Discovery Order, Rule 16(c) of the Federal Rules of Criminal Procedure, Brady, Giglio, Napue, and the obligation to assure a fair trial.

The attachments to this response include the following, having been provided this day via USAfX to the email address of counsel for the defendant: one (1) .PDF file entitled, "US v. Good, et al (Spearman), 22-CR-80173-2-AMC, RSDO3, Bates Numbers 02852-03732".

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 23, 2023, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record on the attached Service List in the manner specified.

s/Gregory Schiller
Gregory Schiller
Assistant United States Attorney

SERVICE LIST

United States v. William Michael Spearman
Case No. 22-CR-80173-2-AMC
United States District Court
Southern District of Florida

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|--|---|
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